

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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United States of America,

Criminal No. 13-36 (RHK/TNL)

Plaintiff,

**ORDER**

v.

Heriberto Penaloza-Romero,

Defendant.

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Before the Court is Defendant's Objections to the July 25, 2013, Report and Recommendation of United States Magistrate Judge Tony N. Leung. Judge Leung has recommended the denial of Defendant's Motions to Suppress Electronic Surveillance (Doc. No. 19) and to Suppress Fruits of Unlawful Search and Seizures (Doc. No. 20).

The undersigned has conducted a de novo review of the Report and Recommendation and Defendant's Objections thereto. That review has included all of the files, records, and proceedings, as well as the 237-page transcript of the Motions Hearing on May 29, 2013. That review satisfies this Court that Judge Leung's thorough and well-reasoned Report and Recommendation is supported by the factual record before him and the controlling legal principles.

Based on the foregoing, and all the files, records and proceedings herein, **IT IS ORDERED:**

1. Defendant's Objections to the Report and Recommendation (Doc. No. 32) are **OVERRULED;**

2. The Report and Recommendation (Doc. No. 31) is **ADOPTED**;
3. Defendant's Motion to Suppress Electronic Surveillance (Doc. No. 19) is **DENIED**; and
4. Defendant's Motion to Suppress Fruits of Unlawful Search and Seizures (Doc. No. 20) is **DENIED**.

Dated: September 30, 2013

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge